



**THE CITY OF NEW YORK  
LAW DEPARTMENT  
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October 6, 2017

**VIA ECF**

Honorable Laura Taylor Swain  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Justin Kuchma v. The City of New York, et al.,  
16 CV 7830 (LTS)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendant City of New York ("City") in the above-referenced action. In compliance with Your Honor's Order dated September 11, 2017 ("September 11<sup>th</sup> Order"), on behalf of defendant City, I respectfully write to apprise the Court further of the status of the investigation conducted by the Investigation Division ("ID") of the New York City Department of Correction ("DOC"), concerning the incident that underlies the allegations in the Complaint. See Docket Entry # 44.

After further inquiry, the undersigned can report to the Court that the DOC Deputy Commissioner has endorsed the findings of the ID investigation, concluding the investigation in its entirety. I have requested the investigation file itself and, upon receipt, defendants will produce same to plaintiff in discovery. It is anticipated that the file will be quite voluminous, however. Thus, it may take a couple of weeks after receipt to review, redact and prepare the file for production. Additionally, during that same period of time, our office will be evaluating the investigatory findings and determining how they impact legal representation.

Defendant City thanks the Court for its time and consideration herein.

Respectfully submitted,

/s/

Karl J. Ashanti, Esq.  
*Senior Counsel*

cc: Danielle B. Sullivan, Esq. (BY ECF)  
*Attorneys for Plaintiff*